

MAY 13 2004

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TRANSMITTING: 3 PAGES (INCLUDING THIS PAGE)

NAME: Art Unit 3628  
Commissioner for Patents  
U.S. Patent and Trademark Office

FAX NUMBER: (703) 872-9306

DATE: May 12, 2004

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COMMENTS: Please refer to the attached **Request For Clarification** for  
Application 09/972,400.

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**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(b) AND 1.6(d)****TRANSMISSION**

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Date: 5/11/2004

  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	)	
Mark S. Covert, et al.	)	
	)	
Serial No.: 09/972,400	)	Art Unit 3628
	)	
Confirmation: 5065	)	
	)	
Filed: October 5, 2001	)	Patent Examiner
	)	Pedro R. Kanof
	)	
Title: Automated Banking Machine	)	
and System	)	

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

**Request For Clarification**

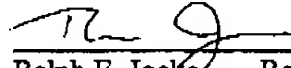
Applicants request clarification of the record. Applicants received an Office Action ("Action") dated May 6, 2004. The Action at page 1 indicates that claims 1-26 are rejected. However, in the body of the Action only claims 1-5 and 8-24 are rejected. Thus, the Action is unclear.

The Office has not provided Applicants the facts necessary to make a decision regarding a terminal disclaimer. For example, what is the current status of claims 6-7 and 25-26? Are these claims rejected or allowed? Will the filing of a terminal disclaimer place the application in condition for allowance? The lack of clarity in the Action prohibits Applicants from properly responding to the Action.

Applicants request that the Office clearly state on the record the current status of each claim. Applicants also request that the Office state on the record what the status of each claim will be upon the filing of a terminal disclaimer.

Clarification is respectfully requested. The undersigned will be happy to discuss any aspect of the Application by telephone at the Office's convenience.

Respectfully submitted,

  
\_\_\_\_\_  
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